

Get the Facts

Do you have a criminal record?
For people convicted of a crime,
finding housing and employment
can be extremely difficult.

This pamphlet provides
information to help people with
criminal records understand
employment and housing laws.
It also explains how to restore
the right to vote.

Restoring Your Right to Vote

If you are convicted of a felony in Washington
State you lose your right to vote. To be able
to vote again you must meet all sentencing
obligations:

- Pay all financial obligations, such as
fines, court costs and restitution;
- Complete other requirements such as
treatment and community service; and
- Finish your custody, including probation,
community supervision and community
custody.

The specific steps you need to follow to get
your right to vote back will depend on where
and when you were convicted. For more
information, call the American Civil Liberties
Union of Washington at (206) 624-2180 or
see their website:

http://www.acluwa.org/library_files/Ex-felon%20Voting%20English%201-071.pdf.

Resources

King County Bar Association
Neighborhood Legal Clinics
(206) 267-7070

Call to meet with a volunteer attorney for
up to 30 minutes of free legal advice and
consultation- civil cases only.

King County Bar Association
Lawyer Referral Services
(206) 267-7010
Free referral to lawyers.

Northwest Justice Project
(206) 464-1519
Free civil legal services to low-income people.

ACLU of Washington Foundation
(206) 624-2180
Free legal information and referral.

Northwest Women's Law Center
(206) 621-7691
Free legal information and referral.

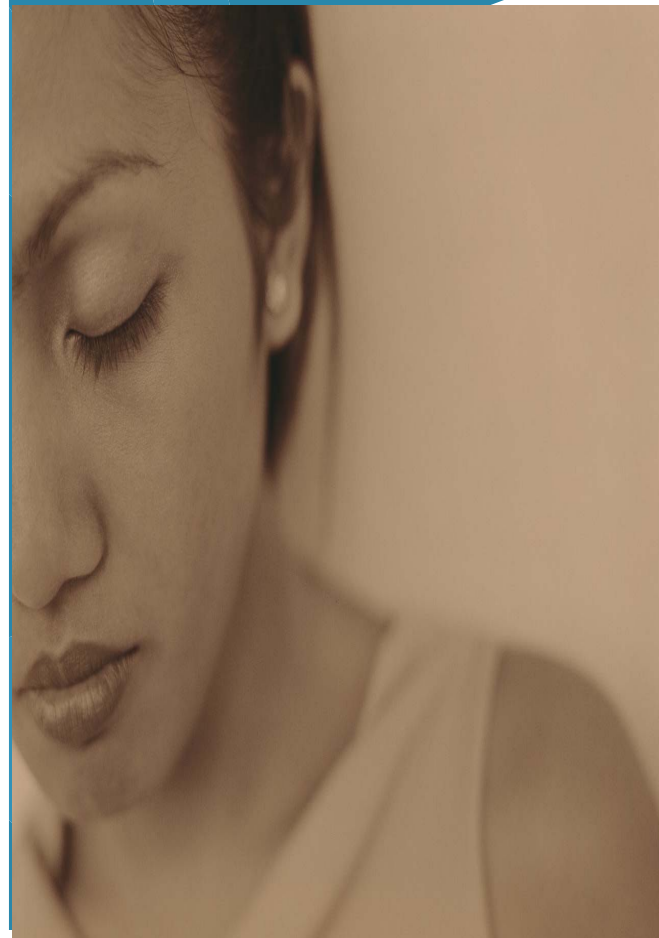
Access to Justice Institute
Seattle University School of Law
(206) 398-4173
Free legal education and advice
in various locations.

Information for this pamphlet was provided by the
Seattle Housing Authority, U.S. Department of
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Fair Housing Partners of Washington State
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Seattle Office for Civil Rights
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 **Seattle Office
for Civil Rights**

Employment and Housing Facts for People with Criminal Records



Getting a Job

I'm applying for a job as a gardener at the state university. I was convicted of forgery in 1995. Can they deny me employment based on my criminal record?

No. Public agencies (cities, counties, publicly funded schools, etc.) in Washington State are not allowed to discriminate against someone only on the basis of a past criminal record if:

1. the conviction does not directly relate to the job
2. it's been over 10 years since the conviction

The law does **not** apply to law enforcement agencies and jobs providing unsupervised access to children and vulnerable adults.

I'm trying to get a job at a store in the mall. Can they decide not to hire me because I served time in prison five years ago?

Yes. Washington State does not have any standards that keep private employers from discriminating against someone in the hiring process based on a past conviction. In applications and interviews, however, an employer is only allowed to ask about past convictions relating to the job duties and if the convictions or release from prison occurred in the last 10 years.

I'm applying for a job and the application asks if I was ever arrested. I was arrested two years ago but there was no conviction. Can they ask me this anyway?

Yes. In Washington, employers are allowed to ask applicants about arrests that happened within the last 10 years even if they did **not** lead to a conviction. They must ask if the charges are still pending, have been dismissed, or led to conviction of a crime involving behavior that would negatively impact job performance.

It is increasingly common for employers to conduct background checks. Be aware that even if you have a sealed record, a past conviction might show up during a background check. If you are unsure on how to answer questions regarding arrests when filling out a job application, please contact one of the legal aid groups listed on the back of this brochure.

Housing Facts

I was arrested for a crime. Does the Seattle Housing Authority consider arrests that did not lead to a conviction in its admission criteria?

Except in the case of pending drug prosecutions, the Seattle Housing Authority (SHA) does not consider arrests. SHA does however make individual determinations about an applicant's eligibility based on the relevance of the criminal record. If you have a pending drug prosecution you can be denied admission.

I just got out of jail. How long will I be barred from getting SHA housing?

The rules are set at the federal level through the Department of Housing and Urban Development (HUD), not SHA, but they do apply to SHA housing. If your offense was a drug-related eviction from public housing property there is a 3-year bar. This also applies to drug-related or violent crime activity that may threaten the health, safety, or right to peaceful enjoyment by other residents. The ban can be lifted early if the applicant completes certified drug or alcohol counseling.

I am applying for SHA housing for my family. I heard that SHA can exclude us because my son was recently arrested for a violent crime. Is this true?

Yes. If your household includes someone who committed violent criminal activity (during a reasonable time before the admissions decision) and will be living with you, you may be denied housing.

I got caught producing meth at my apartment which is subsidized by money from Housing and Urban Development. Can I be evicted?

Yes. HUD-funded housing programs must evict tenants for:

- Manufacture/production of methamphetamines in any HUD funded housing program
- Alcohol abuse that interferes with other tenants rights

I've heard there are some crimes that ban you or a family member from HUD-funded housing for life. What are these?

Yes, you can be banned for life if you are:

- A registered sex-offender
- Convicted of producing methamphetamines on the premises
- Abusing drugs or alcohol which threatens the health, safety or right to peaceful enjoyment of the premises by other residents.

I want to move into a privately owned apartment building. Can they deny me just because I have a criminal record?

Yes. Landlords are allowed to screen and deny housing to someone based on a past criminal conviction.

I was arrested last week for selling weed from the private house I rent. I haven't even been convicted yet but my landlord is trying to evict me. Can he do that?

Yes. Landlords are allowed to evict a person who has been arrested (whether or not convicted) for:

- Engaging in gang or drug related activity, or allowing someone else to engage in these activities on the premises.
- Unlawful use of a firearm or other deadly weapon on the premises
- Assault that occurred on the premises.
Note: if you are a victim of domestic violence and receive a notice to vacate from your landlord, you may not have to move. In Washington State, the fair housing laws and the Residential Landlord-Tenant Act provide some protections against evictions in this situation. Contact our office to determine your options.

Tenants are entitled to an unlawful detainer hearing at which the landlord must provide evidence that they actually did what is alleged.